

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ANTWON ROSS,	)	
	)	
Plaintiff,	)	Case No. 08 C 1051
	)	
v.	)	Judge Coar
	)	
UNION PACIFIC RAILROAD COMPANY,	)	Magistrate Judge Denlow
	)	
Defendant.	)	

**DEFENDANT'S UNOPPOSED MOTION FOR AGREED PROTECTIVE ORDER**

Defendant, UNION PACIFIC RAILROAD COMPANY ("UP") by its attorneys OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C., hereby moves for the entry of an Agreed Protective Order and states as follows:

1. During written discovery in this case, Plaintiff sought the production of documents concerning other employees of Defendant. Specifically, Plaintiff has requested the personal files, PeopleSoft files, labor relations files, and wage history of a number of other individuals employed by Defendant. These documents contain confidential personal information regarding other employees' work history, discipline, training/skills, address and phone number, leaves, medical exam history, education, and wages. This information is highly personal and Defendant treats this information confidentially. As a result, this information should not, and need not be disclosed outside this litigation. A protective order with respect to this information is necessary to ensure that the personal information and privacy of other employees, who are not a party to this litigation, are not compromised.

2. During discovery in this case, Plaintiff also has requested documents relating to another employee's internal complaint of discrimination. This complaint was made to a hotline

Defendant established for employees to complain internally, and employees understand that their calls to the hotline are maintained confidentially. As a result, in order to protect and maintain that confidentiality, Defendant requests that these documents be produced pursuant to a protective order as they too, should not be used outside the scope of this litigation. Moreover, the failure to protect this information could have a chilling effect on employees' usage of the hotline.

3. Defendant's counsel has provided Plaintiff's counsel with the proposed Agreed Protective Order and Plaintiff's counsel has agreed to its terms.

WHEREFORE, Defendant requests that the Court enter the Agreed Protective Order, a copy of which will be submitted to the Court pursuant to this court's case management procedure, by emailing the proposed Agreed Protective Order to [proposed\\_order\\_Coar@ilnd.uscourts.gov](mailto:proposed_order_Coar@ilnd.uscourts.gov).

UNION PACIFIC RAILROAD COMPANY

By: /s/ Carol A. Poplawski  
One of Its Attorneys

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Date: August 5, 2008

**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on this 5<sup>th</sup> day of August, 2008, she electronically filed the foregoing **DEFENDANT'S UNOPPOSED MOTION FOR AGREED PROTECTIVE ORDER** with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Lisa Kane  
LISA KANE & ASSOCIATES, P.C.  
120 South LaSalle Street, Suite 1420  
Chicago, IL 60603

/s/ Carol A. Poplawski